

CX – 30

Tracy Peak
U.S. EPA Region 10 | Idaho Operations Office
950 W. Bannock Street, Suite 900 Boise, ID 83702 | p: 208-378-5756

Work Experience:

U.S. Environmental Protection Agency

EPA Idaho Operations Office
950 W. Bannock St, Suite 900
Boise, ID 83702 United States

09/2011 - Present

Hours per week: 40

Series: 1301 **Pay Plan:** GS **Grade:** 12

Environmental Scientist (This is a federal job)

Duties, Accomplishments and Related Skills:

I currently work out of EPA Region 10's Idaho Operations Office for two different programs, at 0.5 FTE each. Both of my direct supervisors work in EPA Region 10's Regional Office, located in Seattle, WA.

One half of my position is with the Aquatic Resources Unit, which I've been an employee of since November 2007. In this role, my primary duties and responsibilities are to provide cross program coordination for EPA's Clean Water Act (CWA) Section 404 Program, with a focus on maintaining and restoring the overall quality and quantity of aquatic resources, including wetlands, within the state of Idaho. The other half of my position is with EPA Region 10's National Pollutant Discharge Elimination System (NPDES) Permits Unit, for whom I manage the NPDES General Permit for small scale suction dredge mining in Idaho under Section 402 of the CWA.

Similar to my experience in the Anchorage Operations Office, my CWA Section 404 work involves independently reviewing Corps public notices for proposed development in aquatic resources in Idaho; evaluating opportunities to avoid, minimize, and compensate for adverse impacts resulting from discharges of dredged and/or fill material into waters of the U.S.; and submitting substantive comments regarding compliance with the 404(b)(1) Guidelines. I continue to review and prepare responses to preliminary, draft, and final environmental impacts statements (EISs) under the National Environmental Policy Act (NEPA), serve on Idaho's interagency review team (IRT) for mitigation banking and in-lieu fee program issues, and evaluate the jurisdictional status of aquatic resources for the 404 program and others like Superfund and enforcement.

My CWA Section 402 work involves processing NPDES permit applications submitted for authorization to operate a small suction dredge in waters of the United States (U.S.)

throughout Idaho. Permit decisions are based on site-specific information about each waterbody, checked against eligibility and prohibition requirements written in the permit. Geographical Information System (GIS) data layers are used to verify whether a particular location can be permitted, and if not, why. Factors that complicate or prohibit permit issuance include impairment for mercury or sediment, the existence of a total maximum daily load (TMDL) that could limit operations, being located on tribal lands or other nationally or state protected areas or waters, and if the area has been designated as critical habitat for threatened or endangered species under the Endangered Species Act. All proposed permit actions are coordinated with the appropriate land manager (e.g., U.S. Forest Service, Bureau of Land Management, Idaho Department of Lands) prior to permit issuance.

In both positions, I am responsible for providing proactive coordination with the Region, federal, state, and local agencies, tribes, non-governmental organizations, and industry so that significant environmental and regulatory issues can be identified and addressed early on. I work directly with the Corps, U.S. Fish and Game, Idaho Department of Environmental Quality, Idaho Department of Water Resources, and consulting companies regarding 404 program issues. I occasionally receive tips and complaints from the public about a possible 404 violation, as well as general questions about our role in the 404 permit process. I also work directly and extensively with applicants interested in an NPDES permit for suction dredging, and respond to numerous calls, emails, and drop-in visits to the Idaho Operations Office, some of which can be contentious. When I am notified about unauthorized suction dredging occurring in waters that are ineligible for NPDES permit coverage, I immediately notify EPA Region 10's Office of Compliance and Enforcement, and provide support for case development.

Supervisor: Michael Szerlog (206-553-0279)

Okay to contact this Supervisor: Yes

U.S. Environmental Protection Agency

EPA Alaska Operations Office

222 W. 7th Ave, #19

Anchorage, AK 99513 United States

11/2007 - 09/2011

Hours per week: 40

Series: 1301 **Pay Plan:** GS **Grade:** 12

Environmental Protection Specialist (This is a federal job)

Duties, Accomplishments and Related Skills:

In this position, I worked within EPA Region 10's Aquatic Resources Unit, providing oversight of the Clean Water Act (CWA) Section 404 Program, which is jointly administered with the U.S. Army Corps of Engineers (Corps). Based in the Anchorage Operations Office, my primary duties and responsibilities were to provide cross program coordination for EPA's 404 Program, with a focus on maintaining and restoring the

overall quality and quantity of aquatic resources, including wetlands, within the geographic areas of Interior and Southeast Alaska. My direct supervisor worked in EPA Region 10's Regional Office, located in Seattle, WA.

Routine tasks included reviewing Corps public notices to assess direct and indirect chemical, physical, and biological impacts to aquatic resources resulting from proposed discharges of dredged and/or fill material into waters of the United States (U.S.); reviewing applicants' proposed compensatory mitigation plans for compliance with the 2008 joint EPA-Corps Final Mitigation Rule; evaluating opportunities to further avoid and minimize impacts to waters of the U.S.; and submitting substantive comments regarding compliance with EPA's 404(b)(1) Guidelines by the close of the comment period. Projects examples ranged from small residential and commercial projects proposed to be verified under the Corps' Nationwide Permits, to large and controversial transportation projects requiring an Individual Permit from the Corps, to regionally-unique placer mining operations proposed to be authorized under a Regional General Permit. Although such project review was frequently performed without supervision, I routinely coordinated with other 404 program staff in Alaska, as well as state and federal partners, in order to fully understand all potential environmental impacts and submittal of appropriate recommendations to the Corps. Prior work experience with the Corps' Alaska District's Regulatory Division provided a direct advantage to understanding the 404 permitting process; at times, this knowledge is sought by and shared with immediate coworkers.

Other duties included reviewing and preparing responses to preliminary, draft, and final environmental impact statements (EISs) prepared under the National Environmental Policy Act (NEPA), as well as proposed mitigation bank and in-lieu fee program instruments as an interagency review team (IRT) member. Additional responsibilities included the evaluation of case-specific positive and negative jurisdictional determinations in accordance with guidance resulting from the Supreme Court Decision in *Rapanos and Carabell v. United States*. Having shared enforcement authority with the Corps, annual proactive inspections were performed to determine permit compliance and identify possible unauthorized activities, resulting in potential enforcement cases.

Outreach, in the form of presentations and/or handouts were given each year at the Alaska Forum on the Environment and other community events to educate the public about the CWA Section 404 program, and to encourage applicants to apply for EPA's Wetland Program Development Grant. Additional presentation experience included scheduling, preparing materials for, and leading briefings with EPA Region 10's Deputy and Regional Administration regarding a project believed to adversely impact an aquatic resource of national importance.

Supervisor: Michael Szerlog (206-553-0279)

Okay to contact this Supervisor: Yes

U.S. Army Corps of Engineers

Alaska District Office

P.O. Box 6898

Anchorage, AK 99506 United States

12/2003 - 11/2007

Hours per week: 40

Series: 0150 **Pay Plan:** GS **Grade:** 11

Regulatory Specialist (This is a federal job)

Duties, Accomplishments and Related Skills:

In this position, I processed Department of the Army permits submitted for authorization to discharge dredge and/or fill material into waters of the United States (U.S.) and/or perform work in navigable waters, regulated under Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act of 1899, respectively. Decisions to authorize such activities required an extensive knowledge about and careful interpretation of federal, state, and local regulations.

Routine tasks included determining the applicability of exemptions and appropriate permitting procedures; issuing public notices; ensuring full coordination with federal, state, and local agencies (e.g., U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, National Marine Fisheries Service, Alaska Department of Natural Resources, Alaska Department of Environmental Conservation, Alaska Department of Fish and Game, Municipality of Anchorage, etc.); reviewing alternatives analyses; determining direct and indirect project impacts; balancing benefits and detriments of projects through public interest review; recommending issuance or denial of permits based on compliance with pertinent laws, regulations, and policies; as well as maintaining well-documented files to support final permit decisions. Pre-application meetings with applicants were conducted whenever possible to discuss, early on, potential adverse impacts to aquatic resources, ways to avoid and minimize impacts, and opportunities to mitigation for remaining unavoidable impacts.

Additional duties also included performing wetland delineations to confirm the presence of wetland hydrology, vegetation, and soils; and making jurisdictional determinations prior to, and for a brief time following, the CWA jurisdictional guidance resulting from the Supreme Court's decision in *Rapanos and Carabell v. United States*.

Education:

University of Alaska Fairbanks, AK United States

Bachelor's Degree 05/2003

Major: Geography - Environmental Studies
